

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

UNILOC USA, INC.; AND UNILOC  
LUXEMBOURG S.A.,

V.

DREAMSTIME.COM, LLC

Civil Action No. 6:12-cv-424 (LED)

JURY TRIAL DEMANDED

**PLAINTIFFS' ANSWER TO DREAMSTIME.COM, LLC'S COUNTERCLAIMS**

Plaintiffs UNILOC USA, INC. and UNILOC LUXEMBOURG S.A. (collectively "UNILOC") answer the counterclaims (Dkt. No. 10) of Dreamstime.com, LLC ("Dreamstime"), by corresponding paragraph number, as follows:

**JURISDICTION AND VENUE**

1. Admitted that there is a legal case or controversy for purposes of subject matter jurisdiction over counterclaims. Denied as to merits of counterclaims.
2. Admitted.
3. Admitted.

**THE PARTIES**

4. Admitted.
5. Admitted.
6. Admitted that Uniloc Luxembourg S.A. is a Luxembourg public limited liability company with principal offices at 15, Rue Edward Steichen, L-2540 Luxembourg (R.C.S. Luxembourg B159161).
7. Admitted.

**FACTS**

8. Admitted that Uniloc Luxembourg S.A. is the owner of, and that Uniloc USA, Inc. is the exclusive licensee of, the '849 patent.

9. Admitted.

10. Denied.

**COUNT I**

*Declaratory Judgment of  
Patent Invalidity*

11. UNILOCS's answers to paragraphs 1-10 are incorporated herein.

12. Denied.

13. Denied.

14. Denied.

15. Admitted that Dreamstime seeks declaratory relief. Denied as to merits.

**COUNT II**

*Declaratory Judgment of  
Non-Infringement Under 35 U.S.C. §271(a)-(c)*

16. UNILOCS's answers to paragraphs 1-15 are incorporated herein.

17. Denied.

18. Denied.

19. Denied.

**COUNT III**

*Attorneys' Fees and Costs*

20. UNILOCS's answers to paragraphs 1-19 are incorporated herein.

21. Denied.

**PRAYER FOR RELIEF**

a-g. To the extent necessary, UNILOC denies that Dreamstime is entitled to the relief requested in its prayer for relief. UNILOC denies this is an exceptional case from the perspective of Dreamstime being entitled to any such finding. UNILOC admits that this is an exceptional case from the perspective of UNILOC obtaining such a finding against Dreamstime. In addition, to the extent necessary, UNILOC generally denies any allegation in the counterclaim not specifically admitted above, and UNILOC re-alleges infringement, enforceability, validity and damages, and denies any allegations in the counterclaims adverse to same.

**PRAYER FOR RELIEF**

WHEREFORE, UNILOC respectfully requests that this Court enter judgment denying and dismissing Dreamstime's counterclaims, and that the Court enter judgment in favor of UNILOC as requested in UNILOC's complaint, as amended or supplemented.

September 25, 2012

Respectfully submitted,

/s/ Andrew P. Tower

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ATTORNEYS FOR PLAINTIFFS  
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LUXEMBOURG S.A.

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

September 25, 2012

/s/ Andrew P. Tower  
Andrew P. Tower